IN THE

SUPREME COURT OF THE UNITED STATES

October Term, 1957

No. 583

JOHN P. KINSEY, individually, and as a director and stockholder of Monroe Paper Products Company, and LAWRENCE G. KUNKEL and THE WATERBURY CORRUGATED CONTAINER CO., individually and as stockholders of said Monroe Paper Products Company,

Petitioners,

v.

HONORABLE CHARLES C. SIMONS, CHIEF JUDGE, and HONORABLE SHACKELFORD MILLER, JR., and HONORABLE FLORENCE E. ALLEN, JUDGES OF THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT,

Respondents.

BRIEF IN OPPOSITION TO MOTION FOR LEAVE TO FILE PETITION FOR COMMON LAW CERTIORARI

We concur in the doubt petitioners express as to the propriety of their motion for leave to file their petition for statutory certiorari as if it was a petition for common law certiorari.

If the court below should have made some different disposition of this case on the incomplete record which was brought to it, it would seem that the usual channels of review afford petitioners adequate relief so that there is no

occasion for common law certiorari. We urge that this motion be denied.

Dated: Detroit, Michigan, March 31, 1958.

Respectfully submitted,

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